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and Public Works

Washington, D.C.

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BUSINESS MEETING TO CONSIDER H.R. 5430, UNITED STATES-MEXICO-
CANADA AGREEMENT IMPLEMENTATION ACT

Tuesday, January 14, 2020

United States Senate

Committee on Environment and Public Works

Washington, D.C.

The committee met, pursuant to notice, at 10:06 a.m. in room 406, Dirksen Senate Office Building, the Honorable John Barrasso [chairman of the committee] presiding.

Present: Senators Barrasso, Carper, Capito, Cramer, Braun, Rounds, Sullivan, Boozman, Wicker, Shelby, Ernst, Cardin, Whitehouse, Merkley, Gillibrand, Van Hollen.

STATEMENT OF THE HONORABLE JOHN BARRASSO, A UNITED STATES
SENATOR FROM THE STATE OF WYOMING

Senator Barrasso. Good morning. I call this business meeting to order.

Before we begin the markup, I want to take a moment to congratulate and thank Senators on our committee who worked to pass two important pieces of legislation through the Senate this past week. On Thursday, the Senate passed the Save Our Seas 2.0 Act, and Senator Sullivan and Senator Whitehouse partnered together to shepherd this bill through the Senate. Both of them were on the Floor of the Senate last evening talking about all the benefits of this legislation that has passed our committee unanimously, as well as the Senate unanimously. The legislation will help reduce the amount of plastic and waste floating in our oceans and will spur innovative solutions to prevent more plastic pollution.

Also on Thursday, the Senate passed America's Conservation Enhancement Act, or the ACE Act. Ranking Member Carper and I introduced the ACE Act; Senator Cramer and Cardin and Capito and Van Hollen and Inhofe and Boozman all joined as cosponsors. The ACE Act helps conserve wildlife and wildlife habitat. The legislation addresses the threats of emerging wildlife diseases, like chronic wasting disease. It protects livestock from predators, and it combats invasive species.

The ACE Act has received broad support from States, from environmental groups, and from stakeholders. Now, the Senate has passed the legislation unanimously. The House of Representatives should follow our lead and pass this historic bipartisan conservation legislation into law.

In today's markup, we will consider one bill, H.R. 5430, the United States-Mexico-Canada Agreement Implementation Act. Senator Carper and I have agreed that we will begin voting at 10:15. At that time, I will call up the legislation for a vote. We won't debate the bill while we are voting. Instead, we will debate the legislation before we begin the vote, and I will also be happy to recognize any member who still wishes to speak after the voting concludes.

President Trump promised a strong, fair, and updated trade agreement with our neighbors, Canada and Mexico. President Trump has delivered on his promise. The United States-Mexico-Canada Agreement, also known as USMCA, was signed by the leadership of all three countries more than a year ago. Mexico gave its final approval of the agreement last June. Canada is waiting for us here in Congress to approve the agreement before taking it up. It is critical that Congress approves this trade deal to continue to fuel America's strong, healthy, and growing economy.

H.R. 5430 will implement the United States-Mexico-Canada

agreement. At the end of last year, the House of Representatives overwhelmingly voted to approve the legislation. The bipartisan vote tally was 385 to 41.

It has a good reason for broad support. USMCA builds on the certainty and progress achieved through recent trade agreements with Japan and with China. It is going to expand market access for a host of U.S. products, and it will sharpen U.S. exporters' competitive edge.

Trade is certainly very important to my home State of Wyoming. We trade our agriculture and our energy products, including our number-one cash crop, which is beef. We do this all around the world.

Above all, USMCA will benefit American workers. The agreement will protect and create millions of jobs here in the United States. American manufacturers overwhelmingly support USMCA. It is imperfect, but it is still a win for American workers and families.

It is also a win for the environment. The United States already has strong environmental protections. The phrase "made in America" is good for the environment. The agreement does not change those protections or give Washington new authorities to regulate. Instead, the agreement recognizes that our partners should have strong environmental records like we do.

Our committee is one of several Senate committees that have

jurisdiction over the legislation. Under the fast-track rules, the committee cannot amend the bill. We will vote today only on whether to favorably report the bill.

I urge my colleagues to support passage of the United States-Mexico-Canada Agreement so we can continue to support our strong, healthy, and growing economy.

I will now turn to our Ranking Member for his opening statement.

[The prepared statement of Senator Barrasso follows:]

STATEMENT OF THE HONORABLE THOMAS R. CARPER, A UNITED STATES
SENATOR FROM THE STATE OF DELAWARE

Senator Carper. Thanks, Mr. Chairman.

A lot of people from my State, and probably your States as well, think we don't work together on anything, and I think the Chairman has mentioned two bills that passed literally this week out of our committee, bipartisan bills, and a trade agreement before us that has been worked on by Democrats and Republicans of Congress and the Administration.

Thank you, Mr. Chairman, for pulling us together today. Those of us on the Environment and Public Works Committee are considering the new North American Free Trade Agreement Treaty, as we know. If we view the treaty solely as a vehicle to address climate then, then we didn't get nearly enough in the agreement, in fact, far from it.

It is no surprise that I and the Democrats and a growing number of Republicans, too, think that we need to act with a sense of urgency to address climate change. It has just been reported that our planet experienced its second hottest year on record in 2019. Last decade was the hottest decade in the history of our planet. Australia today is literally on fire, the Arctic is melting, and our seas are rising.

If we are only measuring the new NAFTA by what it does to address climate change, well, it doesn't work, plain and simple.

The new NAFTA fails to recommit the U.S. to the Paris Accords. It continues to give special treatment to fossil fuel interests. It fails to ratify the Kigali Amendment to the Montreal protocol, which could bring the global community together to reduce the use of HFCs and avoid up to a half-degree Celsius in global warming by the end of this century.

Like so many of the Trump Administration's proposals, the new NAFTA fails to even mention the words "climate change." With these major deficiencies on the climate front, the new NAFTA Environmental Protection chapter cannot be considered a template for future trade negotiations.

Having said all that though, if we are evaluating the new NAFTA as a trade agreement, which it is, and we consider the new environmental enforcement tools that Democrats fought hard to include, this new NAFTA can work. These new provisions will ensure the rules of this agreement can actually be enforced. That cannot be said of previous trade agreements that the Senate has ratified.

Thanks to Democrats mostly, it is no longer the case that if one NAFTA country fails to ratify the environmental agreement, it can be used to prevent the others from honoring their obligation. Moreover, environmental violations will now be treated as trade violations, so when the United States does bring cases under the new NAFTA's Environmental Obligations,

those cases will be easier to win going forward.

The new NAFTA adds stronger language to ensure that the obligations of all three countries under multilateral environment agreements, including the Kigali Amendment to the Montreal Protocol, can be fully enforced. This agreement also includes significant new wins for coastal States, including binding provisions around overfishing, around marine debris, and conservation of marine species.

In addition to its \$88 million for environmental monitoring cooperation enforcement, the new NAFTA creates an enforcement mechanism that gives environmental stakeholders an expanded role in enforcement matters. This will ensure that environmental violations can be investigated and remedied in a substantive and timely manner.

Again, the new NAFTA will not solve the climate crisis or remedy this Administration's most egregious environmental rollbacks. If it was solely an environmental agreement, I could not vote for it, but the new NAFTA does make significant improvements on past trade agreements, including the original NAFTA.

The new NAFTA adds important tools and resources that were negotiated mostly by Democrats to strengthen the agreement, hold the Administration accountable to enforce NAFTA countries' environmental obligations, and help ensure that those who break

the rules are actually held accountable.

And with that, Mr. Chairman, I am going to be voting yes on new NAFTA today, and I want to urge my colleagues to join me in doing so.

If I could just take another 60 seconds. I think it was 1999, I was chairman of the National Governor's Association. We were all gathered in Washington, D.C. We spent a big part of the morning with Bill Clinton, Al Gore, and their Cabinet.

One of the issues that came up during our discussion with Bill Clinton, President Bill Clinton, was NAFTA, which was just being negotiated at that time. I asked him to explain why he thought that a couple of us, Mel Carnahan and I were about to run for the Senate, why we should support his efforts.

What he did is he said you know, at the end of World War II, the U.S. was the 800-pound gorilla in the room, we were on top of the world. The rest of the world, their industrial base was mostly in ruins. We gave them the ability to sell their stuff to us without much impediment, and they put up barriers to keep our stuff out.

And he said, that was fine, that was right, that was appropriate. Communism was sweeping through Europe and we wanted to stop it in its tracks. He said, a lot has changed since then, and he said the reason why we do free trade agreements is because we want not to allow others to sell their

stuff to us, they already do that. We want to make sure that we can sell in their markets, and so that is what this is all about.

He never mentioned the environment. Never talked about anything to do with the environment, and from that day until this, we have heard people complain, justifiably so, about the lack of, one, tough environmental provisions that we and Mexico and Canada need to abide by, the ability to enforce those environmental protections, and the money to pay for those enforcements.

Is this perfect in terms of its environmental standards and all? No, it is not perfect, but it is a whole lot better than what we talked about all those years ago with Bill Clinton, and we can do better from this going forward. I would urge a yes vote on this, thank you.

Senator Cardin. Mr. Chairman?

Senator Barrasso. Senator Cardin.

Senator Cardin. I support the agreement. I will speak after the vote.

But I ask consent that Senator Whitehouse be able to speak now. He is opposed to the agreement. I think we should at least hear one person who is opposed to the agreement before the vote.

Senator Barrasso. Senator Whitehouse, then you can expand

on it afterwards as well.

Senator Whitehouse. I have to go rank up in budget, so I appreciate everybody's courtesy. Thank you.

I think I was the lone Democratic no vote in the Finance Committee on this bill. There is no doubt in my mind that this bill easily wins the record as most improved on environmental matters. But it wins the most improved award off a baseline of terrible, horrible, and no good, which has been the history of these trade agreements under Democratic and Republican Administrations alike.

We are now at a point where I don't believe improvement is the measure. You are either reaching a measure that will protect us, or you are not, and if you are not, then I can't vote for it, and I view this as one that very clearly does not.

As we look at getting through 410 parts per million of carbon dioxide in the atmosphere, as we look at the appalling warming of our oceans and the acidification of our seas, I am reminded of times I spent running rivers. If you are running rivers, and they are dangerous rivers, and they have got serious rapids on them, the first thing you do is you check the map to see where the rapids are, so that you know that they are up ahead.

Well, we got warned about this. The scientists told us, here is what is going to happen. This is on the map. We paid

no attention.

Then if you go down the river, you get to the point where you can hear the rapids downriver. They are roaring; the falls are roaring ahead of you. That is a really good signal to paddle to shore until you know what the hell you are getting into.

We can hear the roaring right now. We hear it in the flames of Australia, we hear it in the gushing of Greenland's glaciers into the sea, we see it in all of our home States, every single one of us has a home State university that teaches this stuff, every single one of us.

But then there comes a point on the river where there is a point of no return. If you don't get off the river, you are going down the falls. At that moment, if you want to get safely to shore, you have got to paddle for your lives.

That is where I think we are in climate right now. Colleagues can disagree with me. That is where I think we are on climate right now. If we don't take action soon, we are doomed to go down these cataracts.

I think it is really vitally important that we take stronger action, and this is a big missed opportunity, notwithstanding it easily winning the most improved award for a trade negotiation. On that front, I do really want to trust my appreciation to Senator Cardin and Senator Carper for having

leaned in to try to make so many of those improvements. So thank you very much for everybody's courtesy.

Senator Barrasso. Thank you, Senator Whitehouse. Now that enough members have arrived, I would like to move to vote on the item on today's agenda, H.R. 5430 United States-Mexico-Canada Agreement Implementation Act. I would like to call up H.R. 5430 and move to approve and report H.R. 5430 favorable to the Senate. Is there a second?

Senator Cardin. Second.

Senator Barrasso. The Clerk will call the roll.

The Clerk. Mr. Booker? Mr. Boozman?

Senator Boozman. Yes.

The Clerk. Mr. Braun?

Senator Braun. Yes.

The Clerk. Ms. Capito?

Senator Capito. Aye.

The Clerk. Mr. Cardin?

Senator Cardin. Aye.

The Clerk. Mr. Carper?

Senator Carper. Aye.

The Clerk. Mr. Cramer?

Senator Cramer. Aye.

The Clerk. Ms. Duckworth?

Senator Carper. Aye by proxy.

The Clerk. Ms. Ernst?

Senator Ernst. Yes.

The Clerk. Mrs. Gillibrand?

Senator Gillibrand. No.

The Clerk. Mr. Inhofe?

Senator Barrasso. Aye by proxy.

The Clerk. Mr. Markey?

Senator Carper. No by proxy.

The Clerk. Mr. Merkley.

Senator Merkley. Aye.

The Clerk. Mr. Rounds?

Senator Rounds. Aye.

The Clerk. Mr. Sanders?

Senator Carper. No by proxy.

The Clerk. Mr. Shelby?

Senator Shelby. Aye.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Van Hollen?

Senator Van Hollen. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. No.

The Clerk. Mr. Wicker?

Senator Wicker. Aye.

The Clerk. Mr. Chairman?

Senator Barrasso. Aye. Clerk will report.

The Clerk. Mr. Chairman, the yeas are 16, the nays are 4.

Senator Barrasso. The ayes are 16, the nays are 4. We have approved H.R. 5430, which will be reported favorably to the Senate.

The voting part of the business is finished. I am going to be happy to recognize any other members who wish to make a statement on the legislation we just approved. I think Senator Ernst has the first right of refusal.

Senator Ernst. Thank you, Mr. Chairman.

The United States-Mexico-Canada Agreement, or as we call it, the USMCA, is a huge deal for my constituents back home in Iowa. Just this last weekend, I was in my hometown of Red Oak in Montgomery County, and I hosted a roundtable discussion with some of our farmers. Of course, the number one topic was USMCA.

That was the case last year on my 99-county tour. Iowans have been waiting a long time on this trade deal to be ratified. Our farmers, manufacturers, and small business owners need certainty and predictability, and getting this deal done with our top two trading partners gives them exactly that.

We waited for over a year for the House Democrats to move on the USMCA, and I am happy to be a part of this process today in getting this bill to the Senate Floor as quickly as possible.

My home State of Iowa exports more to Canada and Mexico than we do to our next 27 trade partners combined. The USMCA will allow those numbers to grow exponentially by creating new export opportunities and over 175,000 jobs across the Country. I believe that having the USMCA will not only be a win for my State, but also for the hard-working Americans from all over the United States.

Ratifying this agreement will be a shot of positive energy into businesses, homes, and lives across rural America. Mr. Chairman, as the daughter of a farmer, and as a proud Iowan, it is a privilege to vote in support of passing USMCA out of committee today, and I would be happy to support passage of the USMCA on the Senate Floor. Thank you, Mr. Chairman.

Senator Barrasso. Thank you, Senator. Senator Cardin.

Senator Cardin. Thank you, Mr. Chairman. I appreciate the opportunity to move this along.

Trade is critically important to our economy. I think we all understand that trade done in the right way will improve the living standards for Americans and create jobs, as it has. As a Senator from Maryland, along with Senator Van Hollen, we are very much aware of the importance of the Port of Baltimore to our local economy. It depends upon open trade, and this trade agreement will help the Port of Baltimore, will help people in Maryland, and people around our Nation.

There are many reasons that we should be supportive of this agreement, as it was originally presented from the point of view of the provisions that were included in it. There were some really good provisions. From my State of Maryland, the poultry industry will get a major plus as a result of this agreement. I want to thank Senator Carper, as part of the Delmarva Team on poultry, for opening up markets, particularly in Mexico and Canada, that will be important for the poultry industry in our region.

As the Ranking Democrat on the Small Business and Entrepreneurship Committee, there are many provisions here that are going to help small businesses. One, the de minimis rule, helps deal with expediting processes at our borders for small companies. That is good for business and for small business; it is good for our economy.

I particularly want to thank the USTR, Bob Lighthizer, for what he was able to get done in regard to good governance. During the debate on the trade promotional authority, I fought very hard as a principal negotiating objective to include good governance. For the first time, for the very first time in a trade agreement, we have strong provisions in regard to good governance in the core provisions of the USMCA. That includes anti-corruption provisions; it includes regulatory reform so that we can actually have input into the regulatory process in

Mexico and Canada. It includes transparency; it represents U.S. values that are now embedded in our agreement with Mexico and Canada, and it is a template for future agreements with any trading partners.

That is where we were when we started the process, but it was not good enough. I want to really thank Senator Carper for his extraordinary leadership on the environmental section. I want to thank my Democratic colleagues for what they were able to get done in the labor sections. I think that is all critically important.

For the first time, we have enforcement of labor standards in this agreement that are effective. We can challenge the labor actions in Mexico or Canada and there is enforcement. That is why it earned the support of the AFL-CIO.

On the environmental provisions, which are particularly important to this committee that has primary jurisdiction over the environmental provisions, again, I want to congratulate Senator Carper for insisting that we include a strong environmental section in the core agreement.

NAFTA had environment. The problem was, it was a sidebar agreement and didn't have enforcement. You had a way of raising it, but once you raised it, you couldn't take it any further. Well, that is corrected in the USMCA. We now have a provision whereby the USTR can bring enforcement actions against Mexico or

Canada in regard to failure to live up to the enforcement agreements, environmental agreements. We have upgraded the commitments in the environment, including fishery subsidies, marine litter, and conservation of marine species.

And if the USTR decides not to bring action, they must notify Congress within 30 days, so we have transparency in regard to enforcement. There are funds that are made available, \$88 million during the next four years for environmental monitoring enforcement, and there are three new environmental attaches in our embassies in Mexico City.

I think this agreement really does provide a major template for including environment in trade agreements. If you go back just a few years, just a few years ago, it would have been revolutionary to include environment provisions in a trade agreement. We now are not only including it; we are providing for enforcement.

So I think this agreement is good for many reasons, but I also think it is a major step forward in using trade to help provide a level playing field for environmental rules, and I strongly support the agreement.

Senator Barrasso. Thank you, Senator Cardin. Senator Sullivan, congratulations again on the Save Our Seas Act 2.0.

Senator Sullivan. Thank you, Mr. Chairman.

I want to express my strong support for this agreement. It

is good to see so many of my colleagues on both sides of the aisle who are supportive.

There is certainly a strategic aspect to this, which is something I have been encouraging this Administration from the President on down to his team in terms of trade, where we need to work more closely with our allies, so we address some of the really big challenges we have with China. I think bringing our North American trading partners together with this agreement is going to help that broader strategic aspects.

I want to echo some of what Senator Cardin just mentioned, and I appreciate your comments, Mr. Chairman, and the help you provided me and Senator Whitehouse on passing the Save Our Seas 2.0 Act. That is the bill that passed last week in the Senate. That is the most comprehensive ocean debris, ocean pollution legislation ever to pass the Congress.

Didn't get a lot of stories on it, but that is true, we checked with CRS last week, and they said, absolutely, you can say that. So we are doing a lot in a bipartisan way on cleaning up our oceans. And importantly, as Senator Cardin just mentioned, there is a whole article on marine debris in this trade agreement. First time ever that any trade agreement that we have ever done. I think, that is important for the environment, for the oceans, and importantly, as he indicated, fisheries.

I want to talk just briefly, Mr. Chairman, on the fisheries chapter. You know I like to talk, and I know my colleagues hear from me a lot, but my State, the great State of Alaska, is the superpower of seafood. Almost 60 percent, actually over 60 percent of all the seafood harvested in America commercially, sport fishing, subsistence, over 60 percent, six zero, comes from the shores of Alaska, and we export billions, billions of dollars in seafood around the world to markets all over.

But here is the thing: prior to this agreement, there had never been a chapter on opening markets overseas to seafood exports from America. So in 2016, as we were debating the trade promotion authority, I recognized that we looked like we were going to have 60 votes in the Senate, so I withheld my vote until I got a commitment from the then-Obama Administration and some other members, Democrats and Republicans, that TPA, Trade Promotion Authority, that we passed in 2016, would have as a principal negotiating objective for the USTR, fisheries. That was agreed to by everybody. It was in TPA.

If you look at this agreement, Mr. Chairman, you have Article 24.17, Marine Wild Capture Fisheries; Article 24.18, Sustainable Fisheries Management; Article 24.19, Conservation of Marine Species; Article 24.20, Fisheries Subsidies. Countries all around the world over-subsidize their fleets, government subsidies, the Koreans, other Asian Countries do this all the

time to the disadvantage of my fishermen, so now we are going to be able to go after illegal subsidies for foreign fleets that are unfairly trading.

Article 24.21, Illegal, Unreported, and Unregulated Fishing, IUU Fishing, is now going to be illegal. Article 24.22, Conservation and Trade with Regard to Fisheries. There is a lot in this agreement on an industry that supports tens of thousands of Alaskans and coastal communities.

This is historic. I am proud to say the TPA Bill in 2016 is what made it happen, and my team and I wrote that provision, a bipartisan provision. For a lot of the reasons Senator Cardin just mentioned, environment, cleaning up the oceans, fisheries for the first time, I think this is a very important agreement, and I am going to strongly support it. It is good to see so many of my colleagues, Democrats and Republicans, supporting it as well. Thank you, Mr. Chairman.

Senator Barrasso. Thank you, Senator Sullivan. Senator Merkley.

Senator Merkley. Thank you, Mr. Chairman.

Mr. Chairman, for me, this was a very difficult call. I think the USMCA improves the labor standards and labor enforcement, but I am disturbed both about the process and the substance on the environment. There are a lot of environmental elements to consider in this, and yet we didn't hold a hearing

on it. We didn't even hold a conversation among ourselves before taking this vote.

I think it really violates the responsibility of you, Mr. Chairman, to make sure this committee has a chance to consider important environmental issues before voting on an environmental piece of legislation that has implications, perhaps for a generation, perhaps for other trade treaties that are pursued.

On the environmental side, every major environmental organization is in opposition to this treaty, and they have a list of reasons why. We should have heard from them and duly considered their points of view.

I did look at the fact the we now have seven multilateral environmental agreements that are enforceable under this treaty: wildlife trafficking, ozone depletion, ship bilge water, waterfowl wetlands, Antarctic whaling, tuna, okay. All well and good.

But where is the enforceability on air and water pollution that drives manufacturing to Mexico, so they can pollute, produce items at low cost, and undermine manufacturing in the United States of America? There is a piece of a process embodied in here that wasn't in former agreements. It is untested and unclear if it will be able to have any impact. I think we should have heard experts weigh in on both the strengths and weaknesses of that process as we consider that.

Embodied in this particular agreement is special treatment for fossil fuel companies. I completely applaud and agree with my colleague, Senator Whitehouse, who says we are in big trouble on carbon pollution, and we should have weighed and considered why we are giving special treatment to fossil fuel companies in this agreement.

In fact, we are eliminating a tax that is in place now on tar sand oil, some of the dirtiest oil to be found anywhere on the planet. We maintain the villainous ISDS system, specifically for the oil and gas companies only. If it is such a terrible system, and a corrupt system in which those who are plaintiffs one day or defense lawyers or advocates one day, can be judges the next, why is it a good system to maintain for the fossil fuel companies?

And while some have applauded the regulatory provisions in here, those regulatory systems may also provide many opportunities for corporations to obstruct new regulations that protect our environment. We should have heard about that issue, well-debated before this committee

So I am very disappointed in the conduct of this committee and the responsibilities we have to do due deliberation as a committee on environmental issues on a major piece of environmental legislation. I did support moving this to the Floor. I think my vote is primarily one on the basis of the

labor provisions.

But I am also aware that no one thinks this agreement will return a single manufacturing job to my home State of Oregon that has moved to Mexico because of the low labor standards, and the particularly low environmental standards. So the process of exporting pollution is one that we may well see continue, and that process, again, is one that should have been duly debated in this committee.

As I said, it was a difficult vote for me. I think we have to do far better in our international agreements, and bring in the biggest crisis facing humankind. We have the impact of carbon pollution affecting everything in my home State. The duration of the snowpack that provides irrigation water to my farmers and ranchers, my farmers and ranchers care a lot about water as all farmers and ranchers do across this Country, and it is being profoundly impacted by this pollution.

Why are we giving special treatment to fossil fuel companies in this agreement? In my home State, the forest fires are much worse because of those changes. Our off-sea ecosystem for our ocean and our fisheries are being very much affected by the heat and the acidity in the ocean waters off my coast.

These are big factors. Let us not repeat this mistake of having major environmental legislation go through here with no hearings, no consideration of experts being brought to bear.

Thank you.

Senator Barrasso. Thank you very much, Senator Merkley.

I point out that the U.S.-Mexico-Canada Agreement was referred to multiple committees in the Senate, the Finance Committee, the Health, Education, Labor, and Pensions Committee, the Environment Public Works Committee, the Appropriations Committee, the Foreign Relations Committee, the Commerce Committee, as well as the Budget Committee.

The agreement as passed by the Senate by the House is not amendable. The agreement as referred to this committee for approval related to Section 815 and 821 is not amendable, and it is the opinion of the Chair that any additional hearings or debate would be completely dilatory and unnecessary.

With that, I ask unanimous consent that the staff have authority to make technical and conforming changes to the matter approved today.

Senator Carper.

Senator Carper. Before we close, I just want to say to our colleague Jeff Merkley, thank you, I know this was not an easy vote for you. Frankly, it was not an easy vote for some of our colleagues. Thank you for what you just said.

I think, Mr. Chairman, his point about on some of the other committees I serve, we actually did have a hearing to consider the impact of this treaty on, for example, in the Finance

Committee, our jurisdiction. I think that would have been a good idea, and one that, I think, let's just keep that in mind as we go forward.

Senator Barrasso. I would point out that the Finance Committee, was, in my understanding, was the committee that was supposed to have the entire agreement referred to them, so there would have been time and appropriate nature to have that hearing. But the Finance Committee voted on this last week, within a day or so of it arriving from the House.

This committee was informed kind of at the last moment that we would be asked to review certain parts. I think many members of the Senate on both sides of the aisle were surprised at the number of referrals made by the Parliamentarian.

So in terms of moving this ahead, realizing that amendments are not in order, and it is an up or down vote, it was the opinion of the Chair that there was no reason at this point to hold a hearing.

And with that, our business meeting is concluded.

[Whereupon, at 10:39 a.m., the business meeting was concluded.]